

REMARKS

Claims 1-34 are pending in this application. Claims 1, 5, 11, 16, 32 and 33 have been amended by the present Amendment. Amended claims 1, 5, 11, 16, 32 and 33 do not introduce any new subject matter.

Claims 24-31 have been withdrawn from consideration without prejudice pursuant to 37 C.F.R. § 1.142(b), as being drawn to a non-elected invention and have been canceled without prejudice by the present Amendment. In addition, claims 6, 15 and 34 have been canceled without prejudice by the present Amendment.

ALLOWABLE SUBJECT MATTER

Applicants gratefully acknowledge the Examiner's indication of allowable subject matter in claims 7-10, 18, 19, 22 and 23.

The Examiner objects to claims 7-10, 18, 19 and 22-23 as being dependent upon a rejected base claim, and indicates that claims 7-10, 18, 19 and 22-23 would be allowable if rewritten in independent form including all of the limitations of the base and any intervening claims.

Reconsideration is respectfully requested of the Examiner's objection to claims 7-10, 18, 19 and 22-23 as being dependent upon rejected base claims.

In response to the Examiner's objection, Applicants respectfully submit that amended claims 1 and 11 are allowable over the cited reference and refer the Examiner to the arguments below.

Therefore, Applicants respectfully submit that claims 1 and 11 and claims 7-10 and claims 18, 19 and 22-23 respectively dependent thereon are in condition for allowance. Accordingly, Applicants respectfully request that the Examiner withdraw the

objection to claims 7-10, 18, 19 and 22-23.

REJECTIONS UNDER 35 U.S.C. § 102

Reconsideration is respectfully requested of the rejection of claims 1-5, 11-17, 20, 21 and 32-33 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent Application Pub. No. 2002/0136065 ("Messenger"), claims 6 and 34 having been canceled.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as is contained in the . . . claim." Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989); M.P.E.P. § 2131.

Claims 1-5 and 32-33

Applicants respectfully submit that Messenger does not disclose or suggest the the internal voltage detecting means that activates the second driving signal when the active signal is activated and the internal voltage is less than or equal to a target voltage, as recited in amended claim 1, and activating the second driving signal when the active signal is activated and the internal voltage is less than or equal to a target voltage as recited in amended claim 32. These features are neither expressly nor inherently disclosed or suggested in Messenger.

The Examiner maintains that Messenger discloses an internal voltage detecting means in Fig. 3, elements R'1-R'3 and 4 less T4. See May 13, 2005 Office Action at 3.

The embodiments of claims 1 and 32 require that two conditions be met prior to

activating a second driving signal. The conditions are receipt of an activated active signal and an internal voltage value less than or equal to a target voltage. In contrast, the output of the non-linear switching circuit of Messenger is not dependent on receipt of an active signal. The non-linear switching circuit NL delivers a first control voltage to the initialization control transistor T4 if a detected voltage is above a threshold value and a second control voltage if a detected voltage is not above the threshold value. See ¶ 0047. Therefore, the control voltage output from the non-linear switching circuit is dependent only on a detected voltage value and, unlike the claimed embodiments, is not triggered by an active signal. See, e.g., Figs. 3 and 4 (element PACT, which is input to the voltage detector 21).

Applicants respectfully submit that the features of claims 1 and 32, as amended, are neither taught nor suggested by the cited reference. Indeed, Messenger makes no mention of an active signal being activated to trigger operation of a voltage detector. In this vein, Applicants also respectfully submit that claims 4, 5 and 33 are not anticipated by Messenger and contain allowable subject matter.

Because Messenger does not disclose or suggest activating the second driving signal when both the active signal is activated and the internal voltage is less than or equal to a target voltage, Applicants respectfully submit that independent claims 1 and 32, as amended, are not anticipated by Messenger. For at least the reason that claims 2-5 depend from claim 1, and claim 33 depends from claim 32, claims 2-5 and 33 are also submitted not to be anticipated by the cited reference.

As such, Applicants request that the Examiner withdraw the rejection of claims 1-5 and 32-33 under 35 U.S.C. §102(b) and that claims 1-5 and 32-33 are in condition for

allowance, claims 6 and 34 having been canceled.

Claims 11-17 and 20-21

Applicants respectfully submit that for at least the reason of the amendment to independent claim 11, claim 11, and claims 12-14, 16-17 and 20-21 dependent thereon, are not anticipated by Messenger, claim 15 having been canceled.

Applicants respectfully submit that Messenger does not disclose or suggest the voltage dividing means that outputs the internal voltage when the active signal is inactivated, and divides the internal voltage to generate the divided voltage when the active signal is activated, as recited in amended claim 11.

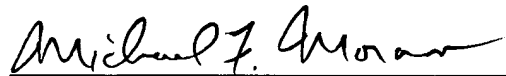
Referring to Figs. 2 and 3 of Messenger, in contrast to the claimed embodiment, the resistors R'1, R'2 and R'3 always divide an output voltage regardless of whether an active signal is activated or not. Therefore, Messenger does not teach or suggest a voltage dividing means that outputs an internal voltage when the active signal is deactivated.

Accordingly, Applicants respectfully submit that claim 11 is not anticipated by Messenger. For at least the reason that claims 12-14, 16-17 and 20-21 depend from claim 11, claims 12-14, 16-17 and 20-21 are also submitted not to be anticipated by the cited reference.

As such, Applicants request that the Examiner withdraw the rejection of claims 11-14, 16-17 and 20-21 under 35 U.S.C. §102(b) and that claims 11-14, 16-17 and 20-21 are in condition for allowance, claim 15 having been canceled.

An early and favorable reconsideration is earnestly solicited. If the Examiner has any further questions or comments, the Examiner may telephone Applicants' Attorney to reach a prompt disposition of this application.

Respectfully submitted,

A handwritten signature in cursive script, reading "Michael F. Morano", is written over a horizontal line.

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